

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Eric Mathews et al.	Art Unit	: 3763
Serial No.	: 10/509,713	Examiner	: Anatoly Vortman
Filed	: May 6, 2005	Conf. No.	: 8357
Title	: TEMPERATURE-CONTROLLED ACTUATOR		

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-RESPONSIVE
AMENDMENT OF DECEMBER 26, 2007

Applicant appears to have misunderstood the Examiner's position in the action mailed August 1, 2007. What the Examiner apparently intended was a restriction requirement between two generic claims 1 and 23, followed by an election of species for the chosen generic claim.

Accordingly, Applicant chooses generic claim 1 for further prosecution, and elects the invention of species III FIG. 7-8, drawn to the embodiment of an actuator in which a tensioning element comprises an axially movable member, the axial position of which controlling the tension of the core wire, a distal section of the core wire comprises an extension of an intermediate section, the extension having a small diameter than the intermediate section. This election is made without traverse.

The embodiment of species III is read on by claims 1, 2, 3 and its progeny claim 8, 4 and its progeny claim 5, 6, 7, 9, 10 and its progeny 11-13, 16-18, 14, 19, 20, and 22.

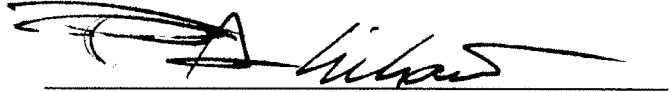
No fees are believed to be due in connection with the filing of this response. However, to the extent fees are due, or if a refund is forthcoming, please adjust our Deposit Account No. 06-1050, referencing Attorney Docket No. 12090-004US1.

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Attorney's Docket No.: 12090-004US1

Respectfully submitted,

Date: January 9, 2008

A handwritten signature in black ink, appearing to read "Faustino A. Lichauco", written over a horizontal line.

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